

CITY OF SAN BRUNO



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STAFF

Tambri Heyden, AICP, *Community Development Director*
Aaron Aknin, AICP, *Planning Manager*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Beilin Yu, *Associate Planner*
Tony Rozzi, *Assistant Planner*
Lisa Costa-Sanders, *Contract Planner*
Cathy Hidalgo, *Recording Secretary*
Pamela Thompson, *City Attorney*

PLANNING

COMMISSIONERS

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Commissioners:
Mary Lou Johnson
Bob Marshall Jr.
Perry Petersen
Kevin Chase
Joe Sammut

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES

AUGUST 15, 2006

San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:00 pm.

ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Chase	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Petersen	X	
Commissioner Sammut		X

STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden
Planning Manager: Aaron Aknin
Assistant Planner: Tony Rozzi
Community Dev. Recording Secretary: Cathy Hidalgo
City Attorney: Pamela Thompson

Pledge of Allegiance: Commissioner Chase

A. Approval of Minutes – JULY 18, 2006

Motion to Approve Minutes of JULY 18, 2006 Planning Commission meeting.

Johnson/Chase

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

B. Communication

E-Packet is available on line at www.sanbruno.ca.gov

C. Public Comment

None at this time.

D. Announcement of Conflict of Interest

None

E. Public Hearings

1. 373 Taylor Avenue

Request for a Variance to allow left and right side yard setbacks to not meet requirements by more than two feet per Section 12.124.010.B of the San Bruno Zoning Ordinance. Xiao Yun Chen (Owner/ Applicant). V-06-02

Planning Manager Akin: Neighbor is objecting to setback and asking to continue to September 19, 2006 meeting.

****Staff is recommending this project be continued to a later hearing in order to allow applicant and staff to review the project.**

Motion to continue Variance 06-02, to September 19, 2006 to allow staff time to review project with applicant and neighbors.

Commissioner Petersen/Chase

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Chair Mishra advised of a 10-day appeal period.

2. 649 6th Avenue

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by more than 50% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Rafael Gutierrez (Owner/Applicant) UP-06-18

Assistant Planner Rozzi entered staff report.

Staff Recommends approval of Use Permit 06-18, based on Findings of Fact 1-7 and Conditions of Approval 1-17.

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Johnson: To Staff. Regarding the windows, they look stationary.

Assistant Planner Rozzi: Responded they look stationary, but they are sliders, and will satisfy the codes.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced Rafael Gutierrez, they want to make home larger to accommodate family.

Commissioner Johnson: The windows, can you clarify if fixed or sliders?

Applicant: Responded fixed.

Commissioner Johnson: To staff. Is this appropriate?

Assistant Planner Rozzi: Looking at the rear, those windows will be open. This will be double checked with building to make sure they are meeting code.

Chair Mishra: They will have to satisfy code. To staff, what do neighbors think?.

Assistant Planner Rozzi: Did not receive any comments from the mailings that went out and encouraged the applicant to speak with neighbors.

Applicant: Responded, we did speak with neighbors, they are okay with it.

Commissioner Johnson: I spoke with neighbors and they don't have any issues with the windows.

Commissioner Marshall: Regarding stairs, did you think of reversing stairs? You could open up the room and make area larger. Not a requirement, but a suggestion.

Vice Chair Biasotti: In addition to Commissioner Marshall's comments, that will align the front door a little better.

Commissioner Marshall: In his opinion, he doesn't think you will like the stairway that way.

Applicant: Responded, we want it that way.

Public Comment opened.

Public Comment closed.

Motion to approve Use Permit 06-18, based on Findings of Fact 1-7 and Conditions of Approval 1-17 with comments as above.

Commissioner Chase/Biasotti

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Commissioner Chase: Comment to applicant, nice set of drawings, very detailed, appreciates the effort.

FINDINGS OF FACT

1. The project is Categorical Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.

2. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the addition will require the applicant to obtain a building permit and all work will be constructed according to the Uniform Building Code.
3. The proposed development will benefit the adjacent property values through investment and not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the City. The proposal generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
4. The construction of the addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
5. Because the proposed addition meets all minimum setback requirements per the San Bruno zoning ordinance, the proposal will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
6. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
7. The proposed expansion complies with applicable off-street parking standards of the San Bruno zoning ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-18 shall not be valid for any purpose. Use Permit 06-18 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on August 16, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010.
9. Install a sanitary sewer lateral clean-out at property line per City standards details SS-01.
10. No fence, retaining wall, or other permanent structure to be placed within 2' from back of sidewalk. S.B.M.C. 8.08.010.
11. Paint address number on face of curb near driveway approach. Black lettering on white background.
12. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020
13. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1
14. Planting of one 36-inch box size approved tree or payment of \$540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

15. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
16. Provide spark arrestor for chimney.
17. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.

Chair Mishra advised of a 10-day appeal period.

3. 405 Cherry Avenue

Request for a Use Permit to allow the construction of an addition to an existing residence which increases the floor area by more than 50% and proposes a floor area greater than 1,825 square feet while only providing a one-car garage per Section 12.200.030.B.1, 12.200.080.A.2, and 12.120.010.B of the San Bruno Zoning Ordinance. Alma and Jeramie Perez (Owners); Dale Meyer (Applicant) UP-06-07

Assistant Planner Rozzi entered staff report.

****Staff is recommending this project be continued to a later hearing in order to allow the applicant additional time to revise the proposal.**

Chair Mishra asked Commission if there were any questions for staff.

Public Comment opened.

Public Comment closed.

Motion to Continue Use Permit 05-78, based on Findings of Fact 1-6 and Conditions of Approval 1-18 with comments as above.

Commissioner Chase/Johnson

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN:

Chair Mishra advised of a 10-day appeal period.

4. Amendment to Chapter 12.84 of the San Bruno Municipal Code

Request for a Zoning Code Text Amendment to allow an additional 2'0" of trellis on the top of a fence, wall or screen planting, and to allow discretionary review of 3'0" fences within 25' from the street corner of a corner lot, within Chapter 12.84 of the San Bruno Municipal Code, per Chapter 12.136 of the San Bruno Municipal Code.

Planning Manager Akin entered staff report.

Staff Recommends adoption of Resolution No. 2006-_____ recommending to the City Council to amend Chapter 12.84.150 "fences, hedges, walls and plantings" of Title 12 "Land Use" of the San Bruno Municipal Code based on the findings of fact delineated within the proposed resolution.

Amend SBMC Section 12.84.150 as follows:

12.84.150 Fences, hedges, walls and plantings.

A. No fence, hedge, wall or screen planting of any kind for residential properties:

1. Shall be constructed or grown to exceed six feet in height (unless otherwise permitted by law) within any required side yard to the rear of the required front

- yard of any dwelling or within any required rear yard. An additional two feet of lattice may be placed on the top of a fence or wall, so that the total height of the structure does not exceed eight feet.
2. Shall exceed three feet in height within the required front yard of any dwelling; and
 3. Shall be situated within twenty-five feet of the street corner of a corner lot, unless otherwise approved by the Community Development Director. The Community Development Director may allow a fence to be situated within twenty-five feet of the corner if it is determined that the fence would not create a solid visual barrier and would not create a safety hazard within the immediate area. In no case shall a fence, hedge, wall or screen planting exceed 3' in height when situated within 25' of street corner or a corner lot.

SECTION B NEEDS TO BE ADDED HERE

Chair Mishra asked Commission if there were any questions for staff.

Marshall: On Item B, on the "retaining wall". If you have a lot that before builds a fence has a 3 foot planting strip and builds up the whole side.

Aknin: If it is retaining dirt, there is a grade change and that is where you would be able to build on.

City Attorney Thompson: That may need to be reviewed by the Community Development Director and approved at their discretion.

Planning Manager Aknin: We can add that phrase, to avoid people trying to get around the ordinance.

Commissioner Chase: Thinks it's a good idea, agrees with the ordinance.

Public Comment opened.

Public Comment closed.

Motion to introduce the Resolution, waive the reading and adopt the resolution with amendment (item b"...at the discretion of the Community Development Director."

Role Call Vote

VOTE: 6-0
AYES: All Commissioners Present
NOES:
ABSTAIN: Sammut (absent)

5. Amendment to Chapter 12.84 of the San Bruno Municipal Code

Request for a Zoning Code Text Amendment to regulate offsite construction yards as temporary conditional use and to set forth standard conditions of

approval for such use, within Chapter 12.84 of the San Bruno Municipal Code, per Chapter 12.136 of the San Bruno Municipal Code.

Planning Manager Aknin entered staff report.

Staff Recommends adoption of Resolution No. 2006-_____ recommending to the City Council to amend Chapter 12.84.030 "Temporary Uses" of Title 12 "Land Use" of the San Bruno Municipal Code based on the findings of fact delineated within the proposed resolution.

Amend SBMC Section 12.84.030 as follows:

12.84.030 Temporary Uses

- A. In order for a use to qualify as a temporary use, the use must be listed as a conditional use within the applicable zoning district, except as allowed in 12.84.030 (C).
- B. The Community Development Director may grant use permits for temporary uses for a period of up to three (3) months only if he or she makes the findings set forth in 12.112.050 of the San Bruno Municipal Code. The Planning Commission may grant such temporary uses for a period of up to one (1) year by using the procedure set forth in Chapter 12.112 governing the granting of a use permit. Under no circumstance shall a temporary use exist for more than a period of one year.
- C. The Community Development Director may grant use permits for temporary off-site construction storage yards in non-residential zoning districts for a period of up to three (3) months only if he or she makes the findings set forth in 12.112.050 of the San Bruno Municipal Code. The Planning Commission may grant use permits for temporary off-site construction storage yards in non-residential zoning districts for a period of up to one (1) year by using the procedure set forth in Chapter 12.112 governing the granting of a use permit. In addition, granting of a temporary use permit for a temporary construction storage yard shall be subject to the following minimum standards:
 - 1. Temporary construction storage yard hours of operation are limited to 6:00 am to 6:00 pm. Limited access to the storage yard outside of these hours shall be allowed when authorized in writing, in advance, by the Director of Community Development.
 - 2. The temporary construction storage yard shall be solely used for storage of construction materials and vehicles. No servicing of equipment or preparation of materials shall be performed at the storage yard.
 - 3. The temporary construction storage yard shall be enclosed by a six (6) foot high chain link fence with vinyl slats or black mesh or windscreen netting. The screening material must screen the contents of the yard from all adjacent properties.

4. All vehicles associated with the construction activity shall be parked or stored within the confines of the storage yard. Street parking shall not be utilized by construction employees or business activities.
5. Any damages done to the adjacent properties or to the construction storage yard shall be repaired at the applicant's expense prior to the expiration of the temporary use. A restoration deposit may be required if deemed necessary by the City for this purpose prior to granting a temporary use permit.
6. The construction storage yard shall be kept clean of trash and debris at all times. Applicant shall keep public right-of-way bordering the construction yard clean of debris and trash at all times. Any graffiti must be abated immediately.
7. Residing on the construction storage yard lot is prohibited unless deemed necessary by the Director of Community Development or Planning Commission, as appropriate, for security purposes.
8. Construction storage yard gates must remain locked when staff is not on-site.
9. An erosion control plan and storm water pollution prevention plan is required. It must show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. Work shall conform with the current NPDES requirements.
10. All hazardous materials on-site shall be contained to the satisfaction of the Fire Chief, as well as comply with all other state and federal regulations.
11. Additional conditions to meet the findings set forth in 12.112.050 of the Municipal Code can be imposed if deemed appropriate by the Community Development Director or Planning Commission, as appropriate.

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Petersen: Commented on expansion of Item 6, might be keeping with the intention of the change if it added "no advertisement signs on the fences and if there are they must be abated immediately."?

Planning Manager Akin: Agreed.

Commissioner Marshall: Do they need to come to Planning Commission automatically?

Planning Manager Akin: No staff can approve unless more than 3 months.

Commissioner Marshall: Is this retroactive

Planning Manager Akin: No.

Chair Mishra: Number 9, NPDES need to be spelled out?

Planning Manager Akin: Responded, No, but it stands for National Pollution Discharge Elimination System. Or Federal Stormwater Regulations.

Public Comment opened.

Public Comment closed.

Motion to introduce the Resolution, waive the reading and adopt the resolution, with modification to no. 6 to include no advertisement signs on the fences and if there are they must be abated immediately.

Roll Call Vote

VOTE: 6-0

AYES: Mishra, Biasotti, Chase, Johnson, Marshall, Petersen

NOES:

ABSTAIN: Sammut (Absent)

F. Discussion

1. City Staff Discussion

- a. Select Sept 14, 2006 Architectural Review Committee Members
Mishra, Chase, (Sammut if available)

2. Planning Commission Discussion

Commissioner Petersen, has there been a determination on the conditions of the "stormwater" phrase as discussed from the last meeting.

Akin: not all water, just the water coming from the actual structures.

G. Adjournment

Meeting was adjourned at 7:35 pm

Tambri Heyden

Secretary to the Planning Commission
City of San Bruno

Sujendra Mishra, Chair

Planning Commission
City of San Bruno

NEXT MEETING: September 19, 2006

TH/ch